

Decision Notice & Finding of No Significant Impact

DUNCKLEY GRAVEL PIT PROJECT
USDA Forest Service
Yampa Ranger District, Medicine Bow-Routt National Forests and Thunder Basin National
Grasslands
Rio Blanco County, Colorado
Legal: T2N, R88W, Section 10, 11 and 14
T3N, R87W, Section 19 and 36; T3N, R86W, Section 30

This Decision Notice contains a brief summary of the environmental analysis completed for this project as well as my decision regarding which alternative to implement and the rationale for my decision. It also contains Findings required by various laws and information concerning the right for Administrative Review of this decision. The Environmental Assessment (EA) and project record completed for this project are incorporated by reference in this decision document.

I. BACKGROUND

The project area is located on the northwest side of the Yampa Ranger District on the Routt National Forest. The area is concentrated along the Dunkley Pass Road (NFSR 16), which is also known as the Flat Tops Scenic Byway. Recreational and commercial uses of the Scenic Byway and other roads in the area have been increasing and are expected to continue into the future. Many of the roads in the project area have become worn and degraded from use and are subject to wash boarding and dust concentrations, causing both safety and visual concerns. Soil and water erosion at some dispersed camping areas and access roads are also contributing to undesirable effects across the watershed. With increasing use and the continual degradation of road surfaces, the frequency of road maintenance and repair is increasing. Consequently, road maintenance costs on this portion of the District are also increasing.

The two gravel pits are located along NFSR 16 between Dunkley Pass and Ripple Creek Pass. These include the Dunkley Pit #2 and the Rough Creek Pit. It is unclear how long these pits have been in use, but they were likely used as gravel sources during the construction of the Scenic Byway and other roads in the area. More recently, they have been used to provide minor amounts of gravel for road maintenance in the general area. Neither of the pits has been rehabilitated nor do they have rehabilitation plans. Dunkley Pit #2 currently has a small stockpile of gravel remaining from the last entry, but this stockpile is not expected to last long in response to increasing road maintenance needs. No stockpiles remain at the Rough Creek Pit. Usable raw material remains at both pits that could be used to produce gravel, pit run and boulders in the quantities needed for road maintenance and for other District projects.

Numerous dispersed camping sites exist along NFSR16 that are used seasonally during the spring, summer, and fall periods. Many of these are user created sites located in small openings along the Scenic Byway, but four of the larger ones are located in old logging/staging or pit areas that have been used for camping for a number of years. During wet weather, the access roads and surface at many of

these sites rut and erode, causing watershed concerns at these locations.

Expanding the existing Dunckley Pit #2 and Rough Creek Pit meets the purpose and need of providing an economical source of gravel, pit run and boulders for use by the Forest Service and Rio Blanco County to correct existing road safety and visual concerns. A material source on this portion of the District will improve the efficiency and reduce the costs associated with road maintenance operations. A ready source of gravel in the area will also facilitate resurfacing a higher number of roads in the project area; thereby reducing the need, frequency, and intensity of blading to fix rutted road surfaces. The availability of rock and other materials from these pits will also provide opportunities to correct other resource and traffic management concerns in the area. Graveling the stockpile areas included in this decision also corrects ongoing soil and water erosion concerns at these sites, and allows the temporary stockpiling of gravel and other materials at these locations to facilitate implementation of other similar projects in the future.

The Dunckley Gravel Pit Project Environmental Assessment (EA) documents the analysis of a "*no action*" and a "*proposed action alternative*" evaluated to address the purpose and need for this project.

II. DECISION

Based on the Environmental Assessment and associated record completed for this project, the comments received from interested parties, and existing Forest Plan direction, it is my decision to select Alternative 2 as described (Proposed Action), with one exception and with the resource mitigations and monitoring requirements included with this Decision Notice. This decision is based on the purpose and need for action, the environmental consequences and the issues raised during this analysis. This decision will expand the Dunckley Pit #2 and Rough Creek Pit. It will also provide four temporary gravel stockpile sites and correct soil and water erosion on access roads and campsites associated with these areas.

The two pits will be expanded back into the hillside using large equipment to provide gravel, pit run and boulders. A rock crusher will be used as needed to produce gravel stockpiles. The Dunckley Pit #2 expansion will increase the pit size by as much as 1 acre, expanding the pit to about 6 acres. The Rough Creek Pit expansion will increase the pit size by 2 acres, expanding it to about 6 acres. Rehabilitation plans will be developed for each pit prior to pit expansion, and rehabilitation will be implemented as necessary to maintain the scenic values of the Byway. Reseeding and/or hydro mulching will be used as needed to lessen visual impacts as pit expansion proceeds. Reshaping and seeding of any spoils will be included in each of the rehabilitation plans. A boulder stockpile would be maintained at each of the pits and will be used by the Forest Service on other watershed and soil restoration projects.

The four stockpile sites are located along NFSR 967(Transfer Trailhead access), NFSR 969 (Cyclone Trailhead access), NFSR 949.1A (Oil Well Road access), and the Little Oak Creek pull-through. These sites may be used intermittently over a period of 2-4 years as needed during the resurfacing of the Scenic Corridor or other roads in the area. The one exception includes grading and resurfacing with gravel approximately 3 miles of access roads leading into the stockpile sites, as well as the stockpile sites and trailheads to correct any soil erosion and watershed concerns. The stockpile sites range from 1 ½ to 4 ½ acres in size. The hardened stockpile sites may be used for gravel and material storage on future projects.

When compared to the No Action Alternative, this alternative best provides an economical source of high quality gravel, pit run, and boulders for use on Forest Service and Rio Blanco County projects. Re-graveling access roads into the stockpile areas, along with re-graveling and leveling the stockpiles sites as proposed also corrects existing soil and water erosion concerns at these locations.

Mitigations:

- If amphibian breeding sites are found and it is determined that the gravel pit operations and associated activities would negatively affect the site, then operations would cease in that area until mitigations could be implemented.
- Persons associated with operations under this authorization must be informed of the need to protect cultural and paleontological resources. If they are encountered, all activities will cease, the discovery protected, and notification given to the authorized officer in order to determine the appropriate mitigations (36 CFR800.110 and 112, 43 CFR 10.4).
- Any new ground disturbing actions not covered in cultural surveys completed for the project would need to be surveyed prior to implementation.
- If Sandhill cranes are found to be nesting in Poose Creek, excavation and grinding at the Rough Creek Pit will be delayed until July 1.
- If goshawks are found to be nesting in close proximity to the gravel pits or stockpile sites, the district biologist will be notified to help determine the most appropriate mitigations; which may include delaying activities until August 15 to minimize disturbance to nesting birds.
- If at any time the actions of extracting, grinding, hauling, and/or dumping of gravel are deemed as a disturbance to denning lynx, these actions will be delayed until August 1.
- Vegetative screening will be retained and maintained between gravel pit and stockpile sites and the National Forest System Road 16 corridor to minimize the visual impacts.
- Gravel pits will be rehabilitated by shaping cut and fill slopes, embankments and other areas and revegetated with native species to blend and complement the surrounding landscape.
- Operations at the Ripple Creek Pit will be restricted or shut down during hunting seasons from the 3rd week in October to the middle of November.

Best Management Practices:

- Require a storm water discharge permit.
- Prior to implementation of the project, pit rehabilitation plans will be developed that include desired outcomes, time frames for completion, and appropriate rehabilitation techniques to address recreational use and visual quality concerns. Plans developed for this decision will include the necessary restrictions to address noise generation, season of use, and visual quality degradation to the level necessary and practical to insure that management activities remain subservient to recreational and visual needs over the short term and long term.
- There would be safety signing for the public on the Scenic Byway.

Monitoring Items Associated with this Decision:

Table 1 contains monitoring items that will be implemented under this Decision. These items were developed to determine resource changes brought about the changes anticipated.

Table 1		
Monitoring Item	When	Who

Effects on game and non-game wildlife species	During site-specific implementation of pit expansions	District Wildlife Biologist
Effects on visual resources	During the development of the pit rehabilitation plans and during pit expansion	District Recreation Specialist and Forest Landscape Architect
Pit Expansion	During Pit development	Forest/District Engineer
Effects to soil and water resources	During pit expansion and access road resurfacing	Forest Hydrologist
Impacts to recreationists	During pit development planning and during pit expansion and stock-pile use	District Recreation Specialist

III. DECISION RATIONALE

The Flattops Scenic Byway and other roads on this portion of the district have become worn and degraded from increasing use. They are subject to wash boarding and dust concentrations, causing both safety and visual quality concerns. On going erosion along access roads and at recreational use areas are also contributing to undesirable effects across the watershed. Based on existing road conditions, and increasing use in the area, road surfaces are expected to become further degraded. These factors are increasing the need, frequency, and intensity for road maintenance and resulting in a corresponding increase in road maintenance costs.

The desired condition includes maintaining quality and economical gravel, pit run and boulder sources available to the Forest Service and Rio Blanco County for use on roads and other projects in the general area. Economical material sources on this portion of the District would increase the efficiency and cost effectiveness of road maintenance activities, thus increasing in the number of road miles maintained and improving overall road conditions. A ready source of gravel in the area would make it possible to resurface a higher number of roads, thereby reducing future blading costs needed to correct deteriorating road conditions. The availability of boulder and pit-run sources also provides the types of materials needed for traffic control, soil and water erosion. It also facilitates implementing other resource projects for wildlife, fisheries, and recreation programs in the future.

Consideration of Issues:

Impacts to Recreationists (issues 2, 4, and 7)

Temporary dislocation of recreationists is expected as a result of pit expansion at both the Duncley and Rough Creek Pits. However, timing restrictions on pit operation will be used to minimize impacts and limit the extent of disturbance to recreating publics. Mitigations have been included that would limit operation beyond the middle of October to reduce conflicts during the hunting season, when recreational use levels are at their highest. If pit expansion is completed using Forest crews, season of use and level of use during peak recreation use periods will be made consistent with this Decision. If pit expansion is to be completed by Rio Blanco County or private contractors, stipulations to the Special Use Permit will be used to make operations consistent with this Decision. Temporary signing and public notices will be use up-to one year in advance to inform individuals of anticipated work at each of the pits prior to implementation if overlap with high use periods is

anticipated. The information provided will include the anticipated closure dates, the duration of those closures, and any other safety consideration relevant to project implementation.

Leveling and hardening the existing use areas along NFSR 967(Transfer Trailhead access), NFSR 969 (Cyclone Trailhead access), NFSR 949.1A (Oil Well Road access), and the Little Oak Creek pull-through; along with resurfacing the access roads to these trailheads is expected to improve the camping and recreational experiences at these locations by eliminating ongoing rutting and erosion concerns during wet soil conditions.

Management Area 1.32 Consistency (Issues 1, 3, 4, 6, 7, and 8)

Management direction for MA 1.32 indicates that trailheads will be located outside the area and provide access points into the backcountry with information and directional signing (pg 2-3). The Pagoda Inventoried Roadless Area (IRA) delineates out NFSR 969 on the maps and lists 969 in the discussion about location and access, however, when 1.32 was mapped in/around NFSR 969, this delineation was missed. The Forest Visitor map also includes the symbol for trailhead along NFSR 969. Nothing in Appendix C, of the Forest Plan talks about an existing gravel pit along NFSR 969.

The Bunker Basin IRA does not have NFSR 967 delineated out, but it is discussed in location and access narratives as a primitive road, open to motorized traffic. Neither the Pagoda nor the Pyramid Geographic Area direction discusses these roads or direction for them. However, the Parks and Yampa 1997 Travel Management Decision determined the District roads that would be allowed to remain open, and both the 969 (Drill) and 967 (Transfer) road segments were designated as open. The Forest Plan Record of Decision incorporated this decision, therefore it is my opinion that these road segments were intended to remain open for public use and access into MA 1.32 areas.

It is also my believe that the upgrade of existing roads to the trailheads, despite their location within MA 1.32, can be waived on a case by case basis without an amendment since they should have been outside MA 1.32 (pg 20-3), and because it is consistent with established use and direction for the area. Forest Plan direction regarding transportation management in MA 1.32 is provided as guidelines that can be mitigated to provide "a link with historic uses" and to "facilitate management activities". This is also true of guidelines with dealing with recreational use and visual quality which can be mitigated by including restrictions for noise, season of use, and visual quality degradation to maintain a level where solitude and lack of human disturbance predominates. To meet the objectives of "solitude" and "undisturbed by human activity", this Decision includes clear direction requiring pit development and rehabilitation plans that address the need to conform with guidelines dealing with frequency of use, noise, and visual impacts and for management activities to remain subservient to recreation needs over the short term and long term.

Impacts to Lynx and Sandhill Crane habitat (issue 5)

No direct impacts to these species are currently anticipated as a result of the actions described with this Decision. However, mitigation direction is included to allow for modification to management activities should it become necessary to protect wildlife habitats at a later date.

IV. PURPOSE OF AND NEED FOR THE DECISION

The purpose of the decision is to:

- Reduce soil and watershed concerns due to existing erosion problems at dispersed camping sites and access roads.
- To provide gravel source for maintenance of existing roads and for dust abatement on roads in this area of the District.
- To provide boulder and pit-run sources for use on road maintenance, to facilitate travel management compliance, and for use on other resource projects.

The decision is needed to:

- Improve the operational safety concerns associated with the Flattops Scenic Byway and other roads in the area.
- Improve the visibility concerns associated with the Flattops Scenic Byway.
- Correct soil and water erosion concerns associated with some dispersed camping areas and the access roads into these areas.
- Provide an economical material source for gravel, pit-run, and boulders for use on other District projects.

V. ISSUES AND ALTERNATIVES CONSIDERED IN DETAIL

The key issues identified below were used in the development of the Proposed Action. The No Action Alternative was the only other Alternative considered.

1. The Dunckley Pass Pit is currently visible while driving north on NFSR16 along one area of the scenic byway (5-6 miles away) for approximately one mile.
2. Temporary impacts and dislocation of recreationists at dispersed camp areas at proposed stockpile sites.
3. Forest Plan consistency with pit, roads and trailheads within Management Area 1.32.
4. Erosion at the Little Oak Creek pull-through stockpile site.
5. Possible impacts to Lynx and Sandhill Crane habitat.
6. No rehabilitation plans for the pits and are required.
7. Mechanical operations during the hunting season (3rd week in October to mid November).
8. Scenic quality along the Flat Tops Scenic Byway may be reduced by enlarging pits.

Alternative 1: No Action (EA pgs 7-8)

Under the No Action alternative, current management plans would continue to guide management of the project area. This alternative does not meet the purpose and need for action. Once existing stockpiles of gravel are depleted, any materials needed for road maintenance and other projects would have to be purchased from outside sources. This would raise the cost of future projects significantly, as well as delaying timing and implementation. The four dispersed camping sites identified for temporary use as gravel stockpiles, along with their associated access roads, would not be bladed and resurfaced. This would allow soil and water erosion problems created by dispersed camping to continue. No displacement of users would occur at these locations. Boulders, a byproduct of this project, would continue to be a limiting resource and would have to be purchased from outside sources. This would reduce their availability for many projects due to the increased costs associated with locating an alternate supply source.

Without reentry, rehabilitation of the existing pits in the near future would be unlikely due to the operational costs of such an effort when compared to other higher priority resource concerns in the area.

VI. ALTERNATIVES CONSIDERED BUT ELIMINATED FROM DETAILED STUDY

One other alternative that was identified in during scoping but was not considered in further detail because it did not meet the purpose and need as described.

The dropped alternative would only allow expansion of the Dunkley Pit #2. Three out of the four the stockpiles will be used (excluding the Rough Creek Pit) but would not include blading and resurfacing all of the access roads and trailheads. Dropping the Rough Creek Pit would eliminate the pit-run and boulder source needed to correct resource concerns for travel management, soil and water erosion, and other projects on this portion of the District. This alternative was created because the Rough Creek Pit and hauling materials along NFSR 969 did not appear to meet management objectives for MA 1.32.

VII. PUBLIC INVOLVEMENT

A proposal to implement the Dunkley Gravel Pit Project was listed in the Schedule of Proposed Actions on April 2002. The proposal was provided to the public and other agencies for comment during scoping on February 25, 2002 for 30 days scoping period. In addition, as part of the public involvement process, the agency sent out the draft environmental assessment to interested parties on August 9, 2004 for the 30 day comment period. The legal publication was in the Steamboat Pilot on August 8, 2004.

Using the comments from the public, and other agencies (*Issues Section*), the interdisciplinary team identified several issues regarding the effects of the proposed action. To address these concerns, the Forest Service created the alternatives described above.

VIII. FOREST PLAN CONSISTENCY AND FINDINGS REQUIRED BY OTHER LAWS

The environmental analysis documented in this EA is tiered to the Final Environmental Impact Statement for the Routt National Forest Land and Resource Management Plan (40 CFR 1500.4(i); 1502.20 and; 1508.28). I have determined that this decision is consistent with the Forest Plan approved by the Regional Forester on February 17, 1998. The activities and projects approved in this decision are consistent with the Forest wide Direction in Chapter 1 (pages 1-2 to 26), and the Standards and Guidelines in Chapter 2, Management Area Prescriptions (pages 2-1 to 57), of the Forest Plan.

The general environmental effects that result from implementing the activities of a project are described in Chapter 3 of the Final Environmental Impact Statement for the Routt National Forest Land and Resource Management Plan. Project specific effects of implementing, both the Alternatives and the Proposed Action are displayed in the EA on pages 10 through 37.

The Proposed Action complies with other laws and regulations, such as the Clean Water Act, Endangered Species Act, and the National Historic Preservation Act. Best management practices and mitigations are included with this decision that further reduces any potential conflicts.

Biological Evaluations were completed for sensitive plants and animals. No sensitive species will experience impacts that would cause or contribute to a trend towards federal listing or cause a loss of viability to the population or species. Biological Assessments completed for this action also indicate that no federally listed Threatened or Endangered Species will be affected by this activity. The Forest Service program for compliance with the National Historic Preservation Act includes locating, inventorying and nominating all cultural sites that may be directly or indirectly affected by scheduled activities. This activity has been reviewed by a qualified archeologist and a determination made that no known cultural resources are present in the project area. This activity will not impact the functional value of any floodplain as defined by Executive Order 11988 and will not have negative impacts on wetlands as defined by Executive Order 11990.

In accordance with Executive Order 12898, I have determined that this project does not have disproportionately high and adverse human health or environmental effects on minority and low-income populations.

IX. FINDING OF NO SIGNIFICANT IMPACT

I have reviewed the Environmental Assessment for this project using criteria identified in implementing regulations for the National Environmental Policy Act (40 CFR 1508.27). Based on the Environmental Assessment and the findings displayed below, I have determined that this is not a major federal action that will have a significant effect on the human environment and so does not require the preparation of an Environmental Impact Statement.

I based my finding on the following:

1. My finding of no significant environmental effects is not biased by the beneficial effects of the action.
2. There will be no significant effect on public health and safety. This project will help improve visibility and safety concerns on roads within the Dunkley Pass to Ripple Pass area. Site hardening and correction of soil and water erosion at the stockpile areas will improve watershed conditions in the area.
3. There will be no significant effects on unique characteristics of the area. The environmental analysis identified no impacts to any unique or special geographic areas such as prime farmlands or wild and scenic rivers (see EA Chapter 3). Potential or historic critical wildlife habitats will be avoided and mitigation measures have been to ensure the necessary protection. There are no historical or cultural sites in the area.
4. The effects on the quality of the human environment are not likely to be highly controversial. These types of project actions have been under taken in the past and were implemented successfully. There is no known scientific controversy over the effects of the selected alternative (see EA page 25).

5. We have considerable experience with the types of activities to be implemented. The effects analysis shows the effects are not uncertain, and do not involve unique or unknown risk (see EA Chapter 3).
6. The action is not likely to establish a precedent for future actions with significant effects. This project will not automatically trigger other actions or other projects. This project can proceed independently with no requirement for other actions to take place prior to or simultaneously with this project. This project is not an interdependent part of a larger action and does not depend on any other action for its justification (see EA Chapter 3).
7. The cumulative impacts are not significant. The cumulative effects discussed in the EA evaluates the combined effects of the project with past, present and reasonable foreseeable future actions. Based on the EA discussion and information identified during public review of the EA, I have concluded that there are no cumulatively significant impacts (see EA Chapter 3).
8. The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places because there are no sites in the project area (see EA page 17). The action will also not cause loss or destruction of significant scientific, cultural, or historical resources, because there are no sites in the project area (see EA page 17).
9. The action will not adversely affect any endangered or threatened species (TES) or its habitat that has been determined to be critical under the Endangered Species act of 1973. The BABE's states that the project "would not impact" the Colorado River cutthroat trout and a "may impact individuals but is not likely to cause a trend to federal listing or loss of viability" for the Canada lynx, boreal toad, northern leopard frog, American martin, dwarf shrew, boreal owl, greater sandhill crane, northern goshawk, olive sided flycatcher, purple martin, northern three toed woodpecker, cockerell's striate disc snail, purple lady's slipper, and rabbit ears gilia. There was a "no effect" determination on the bald eagle, bonytail, razorback sucker, and pallid sturgeon.
10. The action will not violate Federal, State, and local laws or requirements for the protection of the environment. Applicable laws and regulations were considered in the EA (see EA Chapter 3). The action is consistent with the Revised 1997 Routt National Forest Land and Resource Management Plan the National Forest Management Plan (NFMA), the Clean Water Act, and the Endangered Species Act (See EA page 4).

X. IMPLEMENTATION DATE

This decision maybe implemented per 36 CFR 215.9 (c1) which states "immediately after publication (215.7 (b)) of a decision documented in a Decision Notice".

XI. CONTACT PERSON

For additional information concerning this decision, contact David Tubb, Travel Management Coordinator, Yampa Ranger District, P O Box 7, Yampa, CO 80483, or by phone at (970) 638-4516.

XII. ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITIES

This decision and action is not subject to appeal under 36 CFR part 215.12. This is a nonappealable decision under 215.12(e1), which states “No substantive comments expressing concerns or only supportive comments are received during the comment period for a proposed action analyzed and documented in an EA (215.6)”. No comments were received during the comment period.

<u>/s/Oscar P. Martinez</u>	<u>10/20/04</u>
Oscar P. Martinez	Date
District Ranger	
Yampa Ranger District, Medicine Bow-Routt National Forests	

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